Government of Kerala
1980

Reg. No. KL/TV(N)/12

KERALA GAZETTE

EXTRAORDINARY

PUBLISHED BY AUTHORITY

Vol. XXV] Trivandrum, Saturday, 26th April 1980 / 6th Vaisakha 1902 [No. 290

GOVERNMENT OF KERALA

Labour (F) Department

G. O. (P) No. 31/80/LBR. *Dated, Trivandrum, 26th April, 1980.*

RULES FOR KERALA AGRICULTURAL WORKERS PENSION SCHEME, 1980

1. (i) These rules may be called the Kerala Agricultural Workers Pension Rules, 1980.

   (ii) They shall come into force with effect from 1-4-1980.

2. These rules provide for payment of pension to Agricultural Workers who complete sixty years of age on or after 1-4-1980.

Note. —"Agricultural Worker" for the purpose of this scheme means a person who, in consideration of the wages payable to him by a landowner, works on, or does any other agricultural operation in or in relation to, the agricultural land of such landowner.

3. This Scheme shall apply to Agricultural Workers who are residing within Kerala State for a continuous period of at least five years immediately preceding the date of application for pension.

4. No person shall be eligible for pension under this scheme—

(a) if his annual income exceeds rupees one thousand and five hundred; or

(b) if the applicant is being taken care of by any institution maintained for the care of the old, sick or infirm; or

(c) if the applicant is in receipt of any financial assistance (other than the financial assistance for T.B. or leprosy or Cancer patients) under any of the welfare schemes instituted by the Central or State Governments or by a local authority or by any organisation run with the aid of the Central or State Government or local authority.

Note. —Where financial assistance is being enjoyed by the applicant under any of the welfare schemes the applicant will have an option to choose between the assistance under the Welfare Schemes and under the Pension Scheme.

5. The amount of pension shall be rupees forty-five per month.

6. (a) An application for pension shall be submitted in Form I appended to these rules in duplicate to the Executive Authority of the Local Authority in whose jurisdiction the applicant is resident. In the case of a person who is mentally or physically incapacitated to submit the application, it may be submitted by the guardian. In the case of illiterate persons, their thumb impressions shall be taken.

Note.— (i) The guardian who shall be a person of good character and antecedents shall be appointed by the Executive Authority. Before pension is paid, an agreement in Form VI appended to these rules shall be executed by the guardian on stamp paper of proper value.

Note.—(ii) Executive Authority means the Executive Officer in Panchayats, Township, Municipal Commissioners in Municipalities and Corporation Commissioners in Corporations.

(b) On receipt of application, the Executive Authority shall make necessary enquiries about the eligibility of the applicant for pension and, if satisfied that the applicant is eligible for the pension as provided in this scheme, shall sanction the pension in Form No. III from the first day of the month succeeding the date of application. If the applicant is found not eligible for the pension, the application shall be rejected. Every order passed on the applications should be communicated to the applicants and, in the case of rejections, the reasons for such rejection shall be clearly stated.

(c) The Executive authority shall forward one copy of the application along with a copy of the order sanctioning or rejecting the application to the District Labour Officer of the District concerned within thirty days of receipt of application by him.

(d) The Executive authority shall maintain a register of applications received by him in Form II appended to these rules. This Register shall be open for inspection by the District Labour Officer.

(e) For purpose of verification of age, the school records, church records or National Register of citizens or voters list may be adopted as the basis. In cases where the verification of age as indicated above is not possible, the Executive Authority may direct the applicant to any Government Medical Officer who shall furnish a medical certificate of age to the applicant free of charge.

7. On receipt of the application form with the orders of the Executive authority, District Labour Officer shall arrange to disburse the pension. The amount of pension shall be sent by money order at Government cost once in every two months viz., in the month of January, March, May, July, September & November. The Deputy Labour Officer may *suo motu* investigate the facts pertaining to any application at any stage. If on such investigation he finds that the pension so sanctioned was on misrepresentation or mistake of fact or on account of fraud or any procedural irregularity, he shall cancel the order of sanction of Executive Authority. No such order of cancellation shall be passed without giving an opportunity to the person who will be adversely affected by such order. A copy of such order of cancellation shall be sent to Government through the Labour Commissioner for appropriate action.

8. District Labour Officer shall maintain a Register in Form IV in respect of the applications received from the Executive Authority and a register in Form V in respect of disbursement.

9. (a) An appeal shall lie to the Deputy Labour Officer on the orders of the Executive Authority and his decision shall be final.

(b) The District Labour Officer shall be the appellate authority on the orders of Deputy Labour Officer cancelling the pension sanctioned by Executive Authority and his decision shall be final.

(c) Such appeals shall be filed by the aggrieved party within sixty days of receipt by him of the order appealed against. The appellate authority shall after giving the appellant an opportunity of being heard shall dispose of the appeal as expeditiously as possible. An appeal under this clause shall be exempt from the payment of court fee. A Register of appeals in Form VII shall be maintained by the appellate authority.

10. The Panchayat Committees/Township Committee, the Municipal Councils and the Corporation Councils shall be Advisory Committees for the implementation of this scheme. The District Labour Officer shall nominate one representative from each trade union of agricultural workers to the Advisory Committee provided that the total number of such members shall not exceed five. The Executive Authority shall furnish to such Advisory Committee a list of all applications received by him indicating the date and the disposal of the applications. The Advisory Committee shall meet at least once in two months to scrutinise such lists. The Committee may send its recommendations to the District Labour Officer on matters relating to the implementation of this scheme and the District Labour Officer shall examine the recommendations and communicate his decision to the committee. The Executive Authority shall be the Convener o. the committee.

11. If a pensioner dies, the Executive Authority shall forthwith report the fact to the District Labour Officer who shall forthwith stop further payment of pensions in such cases.

12. A pensioner shall intimate in writing any change in his address to the Executive Authority and District Labour Officer concerned. Necessary corrections shall be made in the registers maintained and the particulars of pension shall be communicated by the Executive Authority and by the District Labour Officer to the respective authorities of the area to which he has shifted his residence.

13. If the pensioner leaves the State and continues to live for more than six months in another State, his pension shall be stopped forthwith.

14. Labour Commissioner shall be in overall charge of the scheme and may issue necessary instructions in regard to its proper implementation from time to time.

By order of the Governor,

C. P. NAIR,

Special Secretary.

ഫാറം നമ്പർ 1

ചട്ടം 6(എ)

കർഷകത്തൊഴിലാളികൾക്കുള്ള പെൻഷൻ അപേക്ഷാഫാറം

(രണ്ടു കോപ്പി സമർപ്പിക്കണം)

1. അപേക്ഷകന്റെ പേരും പൂർണ്ണമായ മേൽവിലാസവും
2. പൂർത്തിയായ വയസ്സ്
3. അച്ഛന്റെ / അമ്മയുടെ / ഭർത്താവിന്റെ പേര്
4. അപേക്ഷകൻ ബുദ്ധിസ്ഥിരതയില്ലാത്തവനോ മററുതരത്തിൽ അപേക്ഷ സമർപ്പിക്കാൻ ശാരീരികമായി അവശനോ ആണെങ്കിൽ രക്ഷകർത്താവിന്റെ പേരും പൂർണ്ണമായ മേൽവിലാസവും
5. അപേക്ഷകൻ താമസിക്കുന്ന പഞ്ചായത്ത്/ മുനിസിപ്പാലിററി/കോർപ്പറേഷൻ, കേരളത്തിൽ എത്രകാലമായി താമസിക്കുന്നു എന്നും

പ്രതിജ്ഞ

ഞാൻ ഇതിനു മുമ്പ് പെൻഷനുവേണ്ടി അപേക്ഷിച്ചിട്ടില്ല/അല്ലെങ്കിൽ അപേക്ഷിച്ചിട്ടുണ്ട്. വിശദവിവരങ്ങൾ ചേർക്കുന്നു.

എന്റെ വാർഷിക വരുമാനം ആയിരത്തി അഞ്ഞൂറു രൂപയിൽ താഴെയാണ്. ഞാൻ കർഷകത്തൊഴിലാളിയാണ്. ഗവൺമെൻറിൽനിന്നോ മററു സ്ഥാപനങ്ങളിൽ നിന്നോ എനിക്കു തുടർച്ചയായ ധനസഹായം ഒന്നും ലഭിക്കുന്നില്ല.

സ്ഥലം:

തീയതി:

അപേക്ഷകന്റെ/
രക്ഷകർത്താവിന്റെ
ഒപ്പ്/വിരലടയാളം

പ്രസക്തമല്ലാത്ത ഭാഗം വെട്ടിക്കളയുക

ആഫീസിൽ പൂരിപ്പിക്കേണ്ടത്

ഈ അപേക്ഷയിൽ കാണിച്ചിരിക്കുന്ന വിവരങ്ങൾ ഞാൻ അന്വേഷിച്ച് ബോദ്ധ്യപ്പെട്ടിട്ടുണ്ട്. അപേക്ഷകൻ 60 വയസ് പൂർത്തിയായ കർഷക തൊഴിലാളിയും അഞ്ചുകൊല്ലത്തിൽ കൂടുതൽ കേരളത്തിൽ താമസക്കാരനും കൊല്ലത്തിൽ ആയിരത്തി അഞ്ഞൂറു രൂപയിൽ കൂടുതൽ വരുമാനം ഇല്ലാത്തവനും മററ് പെൻഷൻ ആനുകൂല്യങ്ങൾ ഇല്ലാത്തവനും ആകുന്നു. കേരള കർഷകത്തൊഴിലാളി പെൻഷൻ പദ്ധതിയനുസരിച്ച് അപേക്ഷകന് പെൻഷന് അർഹതയുണ്ട് എന്നു ബോദ്ധ്യപ്പെട്ടിരിക്കുന്നു. ആണ്ട് മാസം തീയതി മുതൽ അപേക്ഷകന് പെൻഷൻ അനുവദിച്ചിരിക്കുന്നു.

താഴെ പറയുന്ന കാരണങ്ങളാൽ പെൻഷൻ നിരസിച്ചിരിക്കുന്നു.

പേര്:

സ്ഥലം:

ഉദ്യോഗപ്പേര്:

തീയതി:

FORM No. II .

[(*See* Rule 6(d)]

Register of applications received under the Agricultural Workers Pension Rules

Sl. No.	*Date of receipt of application*	*Name and full address of the applicant*	*Nature of disposal ie., sanctioned or rejected*	*Date of disposal*	*Initials*	*Remarks*
(1)	(2)	(3)	(4)	(5)	(6)	(7)

FORM No. III

Form of Sanction

See Rule 6 (b)

Proceedings of the Executive Authority Panchayat/Municipality/Corporation Vide G. O. No.

Place:

Date:

The Executive Officer/Municipal Commissioner/Corporation Commissioner of hereby sanction a pension of Rs. 45 (Rupees forty five only) per mensem to Sri/Smt.. with effect from

The pension will be payable once in two months subject to satisfaction of the conditions laid down in the Kerala Agricultural Workers Pension Scheme, 1980 and is liable to cancellation in accordance therewith.

Signature

Name

Designation

To

Sri/Smt.

Copy to:

The District Labour Officer

The Accountant General, Trivandrum.

FORM No. IV

(*See* Rule 8)

Register of applications sanctioned or rejected received by the District Labour Officer

Sl. No.	*Name and full address of the applicant*	*Date from which payable*	*No. and date of sanction Order*	*Number and date of order rejecting the application*
(1)	(2)	(3)	(4)	(5)

FORM No. V.

Register of Payment of Pensions under Kerala Agricultural Workers Pension Scheme, 1980

(*See* Rule 8)

Sl. No.	*Permanent Account No.*	*Name & full address of the Pensioner*	*No. & date of order under which payment is made*	*Date of payment*
(1)	(2)	(3)	(4)	(5)

FORM No. V (*Contd.*)

Month to which payment relates	*Amount paid*	*M.O. Commission*	*No. & date of order of cancellation if, any (Entry to be made in red ink)*
(6)	(7)	(8)	(9)

FORM NO. VI

See Rule 6(a)

Form of Agreement

Agreement executed this the...................day of one thousand nine hundred and......................between (hereinafter called "the guardian")on the one part and the Governor of Kerala (hereinafter called "the Government") on the other part.

WHEREAS Sri.......................................who is mentally/physically incapacitated to submit the application and to receive money has been granted pension in the order No....... .dated.......... of..............................on the basis of an application submitted by Sri..as guardian of the pension and whereas he has been appointed as the guardian of the pensioner to receive the pension and to support the pensioner with the pension amount.

Now these presents witness and it is hereby agreed as follows:—

(i) In consideration of the sum of Rs.......................agreed to be paid to the guardian per mensem with effect from.................... as pension payable to the pensioner to support the pensioner.

(a) The guardian hereby agrees to support the pensioner, so long as the guardian receives the pension, utilising the full amount of the said pension for the said purpose of supporting the pensioner.

(b) The guardian agrees that the pension amount shall be utilised only for the benefit of the pensioner and for no other purpose.

(ii) If the guardian fails to support the pensioner it shall be lawful for the Government to stop payment of the pension to him, to remove him from the guardianship and to appoint another in his place.

(iii) The guardian agrees that in case he fails to support the pensioner or in case he fails to utilise the full amount of pension to the benefit of the pensioner or commits breach of all or any of the terms and conditions herein-contained, any part or whole of the amount so received by him along with such further sum not exceeding Rs. 200 (Rupees two hundred only) as may be fixed by the Government towards damages shall be recovered from the guardian and his properties, movable and immovable, under the provisions of the Revenue Recovery Act for the time being in force as though they are arrears of land revenue and/or in any other manner as the Government may deem fit.

Notwithstanding anything hereincontained, it is hereby expressly agreed that in case any doubt or dispute arises regarding the question whether the guardian has utilised the whole benefit of the pensioner or regarding the amount to be recovered from the guardian or regarding any other matter under or by virtue of this agreement, the decision of the Government thereon shall be final and legally binding on the guardian.

In witness whereof Shri..........................District Labour Officer on behalf of Governor and Shri................................ ....the guardian have hereunto set their hands the day and year first above written.

Signed by Sri....................................

District Labour Officer.

In the presence of witnesses:

Signed by Shri..guardian

In the presence of witnesses:—

1.

2.

FORM No. VII

Register of Appeals

See Rule 9 (b)

Sl. No.	*Date of receipt of Appeal Petition*	*No. and date of the order appealed against*	*No. and date of final order of Appellate Authority*	*Whether appeal rejected or allowed*	*Date of communication of the order of the Appellate Authority*
(1)	(2)	(3)	(4)	(5)	(6)

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GOVERNMENT OF KERALA

Public works and Electricity (D) Department

ERRATUM TO D.D.

No. 14600/D1/80/PW. *Dated, Trivandrum,* 23rd *April* 1980.

In the schedule to the declaration published in Government No. 13903/D1/73/PW dated 19-4-1973 in the Gazette Extraordinary No. 343 dated 19-4-1973 at pages 2 and 3 may read as correct below:

1973 ഏപ്രിൽ മാസം 19-ാം തീയതിയിലെ 343-ാം നമ്പർ അസാധാരണ ഗസററിൽ 2-ം 3-ം പേജുകളിൽ 19-4-1973-ലെ ഗവൺമെൻറു നമ്പർ 13903/ഡി1/73/PW-ാം നമ്പരായി പ്രസിദ്ധം ചെയ്തിരുന്ന പ്രഖ്യാപനത്തിൽ വസ്തുവിവരപട്ടിക താഴെ കാണുംപ്രകാരം തിരുത്തി വായിക്കേണ്ടതാണ്.

SCHEDULE

District—Quilon.

Taluk—Karunagapally. Village—Panmana.

Block No.—14 Chavara unit.

Sl. No.	*Sy. No.*	*Description*
1	7011/3	Dry
3	5075/2	do.
4	5074/3	do.
	Read:	
1	7011/4	Dry
3	5075/3	do.
4	5074/B3	do.

Explanatory Note

(This does not form part of the notification. But intend to note the general purport).

On further verification it was found that there is mistake in the survey subdivision number of land. The above notification is to correct the mistake.

(ഇത് വിജ്ഞാപനത്തിന്റെ ഭാഗമല്ല. എന്നാൽ അതിന്റെ പൊതു സ്വഭാവത്തെ സൂചിപ്പിച്ചുകൊണ്ടുള്ളതാകുന്നു).

വീണ്ടും പരിശോധന നടത്തിയതിൽ സർവ്വെ സബ് ഡിവിഷൻ നമ്പർ തെററാണെന്നുകണ്ട് മേൽ കാണിച്ചിരിക്കുന്ന വിജ്ഞാപനം ഈ തെററു തിരുത്തുന്നതിനാണ്.

By order of the Governor,
P. Soumini,
Joint Secretary.

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Government of Kerala
1980

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EXTRAORDINARY

PUBLISHED BY AUTHORITY

Vol. XXV] Trivandrum, Saturday, 26th April 1980 / 6th Vaisakha 1902(Saka) [No. 291

NOTIFICATION

Under Section 6 of the Kerala Survey and Boundaries Act, 1961

No. A3-303/80. *24th April* 1980.

Whereas the Government have directed the survey of lands comprised in survey numbers noted below it is hereby notified under subsection (1) of section 6 of the Kerala Survey and Boundaries Act, 1961, that survey operation will be started in the village soon and the survey numbers of Village noted below will be demarcated and surveyed; and that every person claiming to be interested in the registered lands situated within or adjoining the undermentioned lands is hereby invited to attend immediately either in person or by agent on the Surveyor employed in the locality and also from time to time when called upon for the purpose of pointing out the boundaries and supplying information in connection therewith.

Under subsection (2) of section 6 of the said Act, this notification shall be held to be a valid notice to every person having any interest in the said lands.

Under subsection (3) of section 6 of the above said Act, all the registered holders are hereby required:—

(a) to clear within 15 days by cutting down or removing any trees, jungle, fences, standing crops or other material obstructions the boundaries or other lines, the clearance of which may be necessary for the purposes of survey; and

(b) to provide labour at such time and for such periods as may from time to time be required by furnishing flag holders and chainmen; and

(c) to provide suitable survey marks and otherwise to give such assistance in the survey as may be demanded under the said Act or the rules made thereunder.

If any person fails to comply with these requisitions under clauses (a) to (c) mentioned above, the work will be got done by employing hired labour and the cost thereof will be recovered from the defaulters as provided in the Act and rules made thereunder.

DETAILS OF LANDS

District—Trichur.

Taluk—Kodungalloor. Village—No. 3 Methala.

Sy. Nos.—857 872 873 874 875 876 877 880 881 882 883 885 886 887 888 889 890 891 1048 1049 1050 1051 1052 1053 1054 1056 1059 1060 1061 1063 1064 1065 1066 1067 1182 1183 1254 1257 1258 1259 1260 1261 1262 1283 1284 1285 1312 1313 1317.

(Sd.)

Special Tahsildar,
(Land Acquisition)
N.H. Trichur-2.

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